

**READVERTISED**

**REQUEST FOR QUOTATION (RFQ)**

**FOR SERVICES**

<b>Project Title:</b>	Enhancing water-food security and climate resilience in volcanic island countries of the Pacific
<b>Nature of the services</b>	Review of the Water Resources Management Act and of associated updates to the National Water Policy (The Republic of Vanuatu)
<b>Location:</b>	Vanuatu, remote (home country)
<b>Date of issue:</b>	23/10/2024
<b>Closing Date:</b>	11/11/2024
<b>SPC Reference:</b>	RFQ24-7062

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## Part 1: INTRODUCTION

### 1.1 About the Pacific Community (SPC)

The Pacific Community (SPC) is the principal scientific and technical organisation of the Pacific region, established by treaty in 1947 with the signing of the *Agreement Establishing the South Pacific Commission* (the Canberra Agreement).

Our unique organisation covers more than 20 sectors and is renowned for knowledge and innovation in such areas as fisheries science, public health surveillance, geoscience and conservation of plant genetic resources for food security.

For more information about SPC and the work that we do, please visit our website: <https://www.spc.int/>.

### 1.2 SPC's procurement activities

SPC's procurement activities are guided by the principles of high ethical standards, value for money, open competition and social and environmental responsibility and are carried out under our Procurement Policy.

For further information or enquiries about SPC's procurement activities, please visit the procurement pages on our website: <https://www.spc.int/procurement> or email: [procurement@spc.int](mailto:procurement@spc.int)

### 1.3 SPC's Request for Quotation (RFQ) Process

At SPC, procurement valued at more than EUR 2,000 and less than or equal to EUR 45,000 requires an evaluation of at least three quotations to determine the offer that provides the best value for money through a Request for Quotation (RFQ) process.

This RFQ sets out SPC's requirements for a project and it asks you, as a bidder, to respond in writing in a prescribed format with pricing and other required information.

Your participation confirms your acceptance of SPC's conditions of participation in the RFQ process.

## Part 2: INSTRUCTIONS TO BIDDERS

### 2.1 Background

SPC invites you to submit a quotation to deliver the services as specified in [Part 3](#).

SPC has compiled these instructions to guide prospective bidders and to ensure that all bidders are given equal and fair consideration. Please read the instructions carefully before submitting your bid. For your quotation to be considered, it is important that you provide all the prescribed information by the closing date and in the format specified.

### 2.2 Submission Instructions

You must **submit your quotation and all supporting documents** in English and as an attachment to an email sent to [agam@spc.int](mailto:agam@spc.int); and with the subject line of your email as follows: **Submission RFQ24-7062**. The email should also be copied to [rfq@spc.int](mailto:rfq@spc.int).

The supporting documents expected in this RFQ are:

- [The Conflict-of-Interest Declaration form](#) completed
- Technical proposal
- Company profile

- Valid Business Licence

Your submission must be clear, concise and complete and should only include a quotation and information that is necessary to respond effectively to this RFQ. Please note that you may be marked down or excluded from the procurement exercise if your submission contains any ambiguities or lacks clarity.

Bids will be evaluated on the basis of information received by **23:59 Fiji time on 11/11/2024**.

### 2.3 Evaluation & Contract Award

Each quotation validly received will be assessed against the evaluation criteria matrix set out in [Part 4](#). Any changes in the evaluation criteria will result in the RFQ process being re-issued.

SPC may award the contract once it has determined that a bidder has met the prescribed requirements and the bidder’s proposal has been determined to be substantially responsive to the RFQ documents, provide the best value for money (highest cumulative score) and best serve the interests of SPC.

In the event of a bid being accepted, procurement will take place under SPC’s [General Terms and Conditions of Contract](#) and depending on the value or nature of the procurement, the award will be made by issuing a purchase order or a signed and dated contract, or both.

### 2.4 Key Contacts

Please contact SPC should you have any doubt as to what is required or if we can help answer any questions that you may have.

Mr McCarthy Aga, Water Resource Specialist and in-country project coordinator for Vanuatu will be your primary point of contact for this RFQ and can be contacted at [agam@spc.int](mailto:agam@spc.int); You should copy any communications into [rfg@spc.int](mailto:rfg@spc.int).

Details will be kept of any communications between SPC and bidders. This assists SPC to ensure transparency of the procurement process. While SPC prefers written communication in the RFQ process, at any point where there is phone call or other conversation, SPC expects to keep a file note of the exchange, with all forms of communication with prospective bidders to be retained as source documents for the procurement of the services.

### 2.5 Key Dates

Please see the proposed procurement timetable in the table below. This timetable is intended as a guide only and while SPC does not intend to depart from the timetable, it reserves the right to do so at any stage.

STAGE	DATE
<b>RFQ advertised</b>	23/10/2024
<b>RFQ Closing Date</b>	11/11/2024
<b>Award of Contract</b>	9/12/2024
<b>Commencement of Contract</b>	1/01/2025
<b>Conclusion of Contract</b>	31/10/2025

### 2.6 Legal and compliance

**Confidentiality:** Unless otherwise agreed by SPC in advance or where the contents of the RFQ are already in the public domain when shared with the bidder, bidders shall at all times treat the contents of the RFQ and

any related documents as confidential. SPC will also treat the information it receives from the bidders as confidential.

**Conflict of interest:** Bidders must take all necessary measures to prevent any situation of conflict of interest. You must notify SPC in writing as soon as possible of any situation that could constitute a conflict of interest during the RFQ process. If you have any familial connection with SPC staff, this must be declared, and approval will then be sought for you to engage in the RFQ process. **In support of your response to this RFQ, you must submit to SPC [the Conflict-of-Interest Declaration form](https://spc.int/procurement) available on our procurement page website: <https://spc.int/procurement>.**

Breach of this requirement can result in SPC terminating any contract with a successful bidder.

**Currency, validity, duties, taxes:** Unless specifically otherwise requested, all proposals should be in USD and must be net of any direct or indirect taxes and duties, and shall remain valid for 120 days from the closing date. The successful bidder is bound by their proposal for a further 60 days following notification they are the preferred bidder so that the contract may be awarded. No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted at any time during this period.

**No offer of contract or invitation to contract:** This RFQ is not an offer to contract or an invitation by SPC to enter into a contract with you.

**Privacy:** The bidder is to comply with the requirements of applicable legislation and regulatory requirements in force for the use of personal data that is disclosed for the purposes of this RFQ. SPC will handle any personal information it receives under the RFQ in line with its [Privacy Policy](#), and the [Guidelines for handling personal information of bidders and grantees](#).

**Warranty, representation, assurance, undertaking:** The bidder acknowledges and agrees that no person has any authority to give any warranty, representation, assurance or undertaking on behalf of SPC in connection with any contract which may (or may not) follow on from this RFQ process.

## 2.7 Complaints process

Bidders that consider they were not treated fairly during any SPC procurement process may lodge a protest. The protest should be addressed to [complaints@spc.int](mailto:complaints@spc.int). The bidder must provide the following information: (1) full contact details; (2) details of the relevant procurement; (3) reasons for the protest, including how the alleged behaviour negatively impacted the bidder; (4) copies of any documents supporting grounds for protest; (5) the relief that is sought.

## Part 3: TERMS OF REFERENCE

### A. Background/context

Groundwater is a vital yet underutilized freshwater resource in many volcanic islands across the Pacific. Freshwater aquifers play a critical role in supporting ecosystems, ensuring water and food security, and driving socioeconomic development. They also enhance resilience to climate change and hold significant economic potential. However, limited knowledge and access to groundwater in these islands, coupled with unsustainable practices, pose risks to the long-term sustainability of this resource. To fully harness its benefits while preserving its environmental interactions, evidence-based policies grounded in a thorough understanding of groundwater dynamics are essential.

The project "Enhancing water-food security and climate resilience in volcanic island countries of the Pacific" aims to: (a) assess and expand the role of volcanic aquifers; (b) introduce sound groundwater governance frameworks; (c) address priority issues of concern related to groundwater through demonstration pilots; and (d) reinforce institutional capacity for long-term sustainable management of volcanic aquifers. This 5-year project (2024-2028), funded under GEF financing facility (GEF-7), is implemented by the Food and Agriculture Organization of the United Nations (FAO) through the executing agency, the Pacific Community (SPC), across Fiji, Solomon Islands and Vanuatu.

Under Project Component 2, "Introducing Sound Groundwater Governance Frameworks," a key activity involves supporting national efforts to review existing legislation and develop new groundwater policies (Project Output 2.1.1). In Vanuatu, the main policies and acts related to water resources include the Water Resources Management Act, the Water Supply Act, and the National Water Policy 2017-2030. The Department of Water Resources (DoWR), under the Ministry of Lands and Natural Resources and serving as the lead agency for project implementation in Vanuatu, aims to review and amend the current legislative framework to enhance water resource management in the country.

**Water Resource Management Act:** The "Water Resources Management Act" of Vanuatu establishes regulations for managing, conserving, and protecting water resources in the country. It outlines the responsibilities of the government and water resource users, focusing on sustainable development and equitable access. The Act also details provisions for water resource planning, permits for water use, pollution control, and penalties for violations. The legislation aims to ensure the availability of safe water while balancing the needs of the population, agriculture, and the environment.

The Act needs to be reviewed to better align with current Government priorities and address existing gaps. One major gap is the absence of a registration mechanism for new boreholes, crucial for monitoring and managing groundwater sustainably. Additionally, there are no provisions regulating water drilling companies or activities. Closing these gaps is vital for ensuring responsible water use. Incorporating scientific data into decision-making is essential for protecting and sustainably managing water resources effectively.

**National Water Policy 2017-2030:** The "National Water Policy" of Vanuatu focuses on ensuring the sustainable management and equitable distribution of water resources across the country. It emphasizes the importance of protecting water catchments, improving water access, ensuring safe drinking water, and promoting community participation in water resource management. The policy aims to strengthen legal frameworks, improve data collection for informed decision-making, and address the challenges posed by climate change and increasing demand for water in urban and rural areas.

Currently, the Water Policy mainly focuses on water for human consumption. Expanding its scope to include water use across other sectors is essential for sustainable development. This broader approach will address the diverse demands for water in agriculture, industry, and other productive sectors, ensuring that water resource management supports economic growth and environmental sustainability. The Department of Water Resources, which plays a key role in managing water resources, must ensure that water availability is balanced across various uses beyond human consumption to meet the country's development goals.

## **B. Purpose, objectives, scope of services**

### **Objective of the Assignment:**

The primary goal of this assignment is to strengthen national governance frameworks related to groundwater resource development and management. This will be achieved by ensuring that the current policy and legal frameworks are strategically aligned to support the sustainable management and responsible abstraction of groundwater resources.

To meet this objective, the Consultant will:

- Conduct a comprehensive review of the Water Resource Management Act and the National Water Policy.
- Identify inconsistencies, ambiguities, and opportunities for improvement within the legislative frameworks and policy documents.
- Analyze stakeholder feedback, environmental considerations, and technological advancements that may influence the effectiveness of the current legal and policy regime.
- Propose amendments to the Water Resource Management Act and recommend updates to the National Water Policy, addressing identified gaps and enhancing the overall efficiency and effectiveness of groundwater management.

**Key Considerations for the Policy and Legal Framework:** The revised framework should address the following key elements of groundwater management:

- Drilling standards
- Licensing and permitting for drilling activities
- Groundwater exploration, protection, and management
- Water demand management, particularly for agriculture
- Watershed management
- Engagement and mapping of all relevant stakeholders

### **Consultant's Responsibilities:**

1. **Desktop Review and Analysis:**
  - Review all relevant legislation and policies in the water sector.

- Prepare a report highlighting policy gaps to be addressed through revisions to the Water Resource Management Act and the National Water Policy.

**2. Stakeholder Consultations:**

- Engage with a range of stakeholders, including government agencies, NGOs, community representatives, and subject matter experts.
- Gather feedback and recommendations, and prepare reports on the consultation process.

**3. Drafting Legal Amendments and Policy Updates:**

- Develop drafting instructions for proposed amendments to the Water Resource Management Act.
- Draft necessary updates to the National Water Policy based on the proposed legal changes.

**Consultant's Deliverables:** The Consultant will collaborate closely with the Department of Water Resources (DoWR) and the Secretariat of the Pacific Community (SPC) to ensure the following deliverables are achieved:

**1. Initial Meeting:**

- Conduct an initial meeting with DoWR/SPC to agree on detailed steps and methodologies for implementing the Terms of Reference.

**2. Desktop Review Report:**

- Provide a comprehensive report on the legislative and policy review.

**3. Workplan for Stakeholder Consultation:**

- Develop a detailed workplan, agreed upon with DoWR/SPC, outlining the design and schedule for stakeholder consultations.

**4. Stakeholder Consultation Report:**

- Submit a report summarizing inputs and recommendations gathered from consultations.

**5. Drafting Instructions:**

- Prepare drafting instructions for proposed revisions to the Water Resource Management Act.

**6. Updated National Water Policy:**

- Submit a draft of the revised National Water Policy, reflecting the proposed legal amendments.

**Note:** The Consultant will incorporate one round of review from DoWR/SPC for each deliverable.



### C. Timelines

The Consultant is expected to complete all deliverables within an 8-month timeframe. It is estimated that approximately 30 to 40 working days will be required to complete the assignment, including time allocated for travel and consultations.

### D. Reporting and contracting arrangements

The Consultant will operate under the supervision of the Director of the Department of Water Resources (DoWR) and will work closely with the Water Resources Specialist at SPC (Vanuatu) and a designated officer within DoWR for day-to-day guidance. Regular teleconferences with the Director of DoWR or their designee will be required to provide updates on progress, challenges, and any needed support.

All deliverables must be submitted to the Water Resources Specialist at SPC, as this is a key requirement for processing payments, as outlined in Section (F) of this Terms of Reference (TOR).

The Consultant's bid should include the costs for in-country travel and accommodation. SPC will cover the expenses for two key consultation workshops. Both SPC and DoWR will assist in providing relevant stakeholder contact information.

The Consultant must be able to travel to and within Vanuatu and will be provided with a workspace at the DoWR. They are expected to be equipped with all necessary tools and equipment to successfully complete the assignment. Flexibility is required to accommodate potential timeline adjustments due to unforeseen events, such as tropical cyclones.

### E. Skills and qualifications

1. A Master's degree in Environmental Science, Water Resources Management, Public Policy, or a related field.
2. A minimum of 10 years of experience in policy review, institutional framework development, or related areas, with at least 5 years of experience working in the Pacific region.
3. Proven experience in facilitating stakeholder consultations with government entities, civil society, and the private sector. Prior experience working in the Pacific is highly desirable.
4. Strong background in research, analysis, report writing, and communication.
5. Fluency in English is required; proficiency in Bislama is an advantage.

### F. Scope of Bid Price and Schedule of Payments

The contract price shall be in the form of a lump sum and payments shall be paid based on milestones. The bidding price shall include the professional fee, management and operating costs, international and domestic travel costs, per diems, equipment and other administration cost.

Payment shall be released upon approval and acceptance of milestone reports by SPC in accordance with Article 10 of the SPC General Conditions of Contract.

Milestone/deliverables	Deadline	% payment
Delivery of the desktop review and analysis report	2 months after contract signing	25 %

Delivery of stakeholder consultation report	4 months after contract signing	25%
Delivery of: <ul style="list-style-type: none"> <li>• “Drafting instructions” for the proposed revisions to the Water Resource Management Act.</li> <li>• Draft updated National Water Policy.</li> </ul>	8 months after contract signing	50%
<b>TOTAL</b>		100%

## G. Annexes to the Terms of Reference

National Water policy 2017-2030:

<https://www.nab.vu/sites/default/files/documents/Vanuatu%20%20National%20Water%20Policy%202017-2030.pdf>

National Water Strategy:

<https://faolex.fao.org/docs/pdf/van185318.pdf>

Water Resource Management Act:

<https://faolex.fao.org/docs/pdf/van53281.pdf>

<https://faolex.fao.org/docs/pdf/van189684.pdf>

Water Supply Act:

<https://faolex.fao.org/docs/pdf/van89006.pdf>

<https://faolex.fao.org/docs/pdf/van172593.pdf>

## Part 4: PROPOSAL EVALUATION MATRIX

### 4.1 Competency Requirements & Score Weight

The evaluation matrix below reflects the obtainable score specified for each evaluation criterion (technical requirement) which indicates the relative significance or weight of the items in the overall evaluation process.

Evaluation criteria	Score Weight (%)	Points obtainable
<b>Mandatory requirements</b>		
<ul style="list-style-type: none"> <li>- <a href="#">The Conflict-of-Interest Declaration form</a> completed</li> <li>- <b>Technical &amp; Financial proposal</b></li> <li>- <b>Company profile</b></li> <li>- <b>Valid Business Licence</b></li> <li>- <b>Master's degree in relevant field</b></li> </ul>		<b>Mandatory requirements.</b> Bidders will be disqualified if any of the requirements are not met
<b>Technical requirements</b>		
<b>Technical requirement 1:</b> Demonstrated work experience in policy review, institutional framework development and related areas, with 5 years of experience in the Pacific region.	30%	300
<b>Technical requirement 2:</b> Demonstrated experience in stakeholder consultation, including stakeholders from various disciplines, backgrounds and cultures, including: Government, civil societies and communities, private sector, development partners and donors.	20%	200
<b>Technical requirement 3:</b> Demonstrated analytical, reporting, policy writing and communication skills, speaking Bislama an advantage.	20%	200
<b>Other: Price and Financial Terms</b>	30%	300
<b>Total Score</b>	<b>100%</b>	<b>1000</b>